

### REMARKS

This amendment responds to the Office Action mailed July 11, 2003. Claims 1 and 38-51 were pending in the instant Application. With the instant amendment, claims 39-40 and 46-51 have been canceled without prejudice, as drawn to non-elected subject matter. Claim 1 has been canceled, without prejudice, and new claims 52-57 have been added. Thus, after entry of the instant amendment, claims 38, 41-45 and 52-57 are pending and under consideration.

New claims 52-57 are fully supported by the specification and the claims as originally filed. Support for new claims 52-57 can be found in, the specification at, for example, Example 6, beginning on page 72. Support for new claim 56 can also be found in, claim 1 and 38, as originally filed.

Applicants expressly reserve the right to pursue any canceled subject matter in one or more related, continuation, divisional or continuation-in-part application(s).

As the amendments are fully supported by the specification and claims as originally filed, they do not constitute new matter. Entry thereof is respectfully requested.

### ELECTION/RESTRICTION

In response to the Requirement for Restriction, Applicants elect to prosecute the claims of **Group I**, claims 38 and 41-45 (claim 1 has been canceled), drawn to a method of detecting a neutralizing antibody response in a patient that is directed to a viral envelope protein, classified in class 435, subclass 4, without traverse. Applicants submit that new claims 52-57 are within Group I and are drawn to a method of detecting a neutralizing antibody response in a patient that is directed to a viral envelope protein.

### CONCLUSION

Applicants believe that claims 38, 41-45 and 52-57 satisfy all the criteria for patentability and are in condition for allowance. An early indication of the same and passage of the claims to issuance is therefore kindly solicited.

No fee in addition to the Extension fee is believed due in connection with this response. However, the Commissioner is authorized to charge all required fees, fees under

37 C.F.R. § 1.17 and all required extension of time fees, or credit any overpayment, to Pennie & Edmonds LLP U.S. Deposit Account No. 16-1150 (order no. 011068-008-999). A copy of this sheet is enclosed.

Respectfully submitted,

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